Is the Iranian Revolution Sustaining a Constitutional System? The Assessment in Terms of Bruce Ackerman's Theory

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Abstract

The law legitimate power. Over the 20th century, constitutions have been an essential part of the dynamic. 'How can be the Iranian constitution assessed over the long term?' 'How do people evaluate their legitimacy?' 'Does the issue matter at all for theoreticians at the leading edge of science?' Iranian revolutionary constitutionalism has an essential role in Bruce Arnold Ackerman's thesis of contemporary legitimacy. Avoiding the pitfalls of Weber's thesis, which accounts for legality to tradition, charisma, and bureaucratic rationality, Ackerman holds that modern notions over the legitimacy based on constitutions. This paper tends to analyze the position of the Iranian revolutionary structure in the mentioned theory. The first scenario in Ackerman's trichotomy is "Revolutionary Constitutionalism," whereas "the insider-establishment providing modest outsiders with strategic concessions" constitutes the second, followed by a third "elite construction constitutionalism." As an example of the first scenario, he mentions the constitution of the Islamic Republic of Iran as well as France, Italy, India, and South Africa. While Mao's and Stalin's periods regarded as two negative examples of the thesis, Iranian revolutionary constitutionalism represents positive revolutionary constitutionalism and democratic government.

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Introduction

In recent decades, political power can legitimate by law. And over the past century, constitutions are the most critical part of this dynamic of legitimacy. Regarding the origins and shaping of compositions, many issues would much more accurately address. For example, the European Union vis-à-vis the Brexit is a still-growing problem of constitutionalism vs. legitimacy, teaching us that critical historical improvements are not necessarily sufficient to push a legitimation paradigm forward into the future.[1] Another issue of constitutionalism has arisen in India as the largest constitutional democracy all over the globe. In India, one would see several inherent imperfections, but it is right about lots of other nations and countries.[2]

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1. On the history of this issue, Ackerman has said: "It didn't turn out that way. The Brexit referendum is forcing Britain to confront the legitimation crisis that Wilson managed to evade in 1975. Forty years later, David Cameron found himself in precisely the same position as Wilson. He was a pro-European prime minister at the head of a party with a powerful Anti-European faction-whose opposition to the European Union was making it increasingly difficult for him to govern effectively at Westminster. Like Wilson, he tried to obtain a better bargain from Brussels that would satisfy his opponents' increasingly vociferous complaints. But when his critics refused to be pacified, he desperately clung to power by invoking Wilson's precedent and calling a referendum in the hope of leading a multiparty pro-European coalition to victory. Like his predecessor, he did not seriously consider the deeper constitutional implications of a No vote. In this respect at least, Cameron's establishmentarian tendencies were even more pronounced than Wilson's. The Conservative leader came from a wealthy family. Young David was educated at Oxford, where his outstanding performance allowed him easy entry into the higher reaches of the Conservative Party, culminating in his election as its leader. This paradigmatic member of the British establishment was unprepared to take seriously the notion that dissident Conservatives and outraged UK Independence Party members (UKIPERS) might succeed in their rabble-rousing efforts to exploit mass prejudices for a No vote against the prime minister's sensible effort to renegotiate Britain's deal with Brussels" (Ackerman, 2019: 14).

2. Bruce gives more details on the issue: "Yet nobody can deny that its Constitution of 1950 continues to provide core legitimating structures for its democratic government in the twenty-first century. This simple point poses a big problem for conventional wisdom. For starters, India lacks what the standard literature endlessly calls the "preconditions to condemn the country to an authoritarian system where elections are regularly rigged and courts fail to constrain the power of entrenched political elites. Prospects look even grimmer once India's ethnic and linguistic diversity is taken into account. In Europe, such diversity is typically treated as a major factor undermining the movement toward a stronger European Union. Yet it has not defeated the operation of a powerful central government on a subcontinent containing twice the Union's population. No need to exaggerate. New Delhi has engaged in long military struggles against rebellious minorities. The real-world operation of its constitutional system is deficient in fundamental respects. But this is also true in the United States, Europe, and Latin America. The question is not whether India, or any other polity, perfectly fulfills its ideals. The real-world issue is: How has India's constitutional order sustained its broad-based legitimacy under such uncongenial circumstances?' The puzzle can be solved only if we take seriously both the Congress Party's revolutionary role in

The present study aimed to revolve some problems around Iran's revolutionary constitutionalism with a focus on the views of Sterling Professor of Law and Political Science at Yale University, Bruce Arnold Ackerman. We are interested in the assessment of the sustainability of Iranian revolutionary order as well as the Iranian revolutionary constitution, which these days can massively see in the headlines of the world press.[3]

'How can we assess the Iranian revolutionary constitution over the long term?' 'How do people evaluate their legitimacy?' 'Does the issue matter at all for theoreticians at the leading edge of science?' The answer, as will appear later in this paper, is positive. It is deserving of notice that the problem of governmental legitimacy is regarded as a philosophical and theological problem also as an issue of political science. Moreover, describing the government of the Virtuous City, thinkers like Farabi developed this critical problem and regarded the divine revelation as the principal origin of legitimacy (Farabi, 1987: 259; 1997: 195; 1991: 44; 1968: 133-134; 2004: 55; 2003: 116-121; for further discussions see also: Maftouni and Baharloi, 2011: 57-74).

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mobilizing a vast popular movement in support of national independence, and its success in constitutionalizing its high-energy politics during the Nehru era. These achievements laid the foundation for a remarkably creative resolution of a succession crisis after Nehru's death, enabling the emergence of the Indian Supreme Court as the ultimate defender of the nation's revolutionary constitutional legacy. India's four-stage process played itself out over a century-stretching from Mahatma Gandhi's transformation of Congress into a well-organized movement in the early twentieth century through the constitutional consolidations of the early twenty-first century-and it has not yet come to an end. To the contrary, it provides essential background for an assessment of the current effort by Prime Minister Narendra Modi, and his Hindu Nationalist movement, to revolutionize the Supreme Court's entrenched understandings of the nation's founding principles. India's century-long history not only frames its current constitutional predicament. It also serves as a benchmark for analyzing other countries that have experienced more recent revolutions-and so have not fully confronted succession crises or later efforts at consolidation" (Ackerman, 2019: 43-44).

3. While I am writing these lines, Professor Bruce Ackerman is seriously preoccupied with his strenuous efforts aimed at the impeachment of Donald Trump. After the terror of Iranian top General Qasem Soleimani by the direct order of President Donald Trump of the United States, I recently have received an email in my Yale email box with this subject: American Prospect (January 6, 2020) Trump's War Against Iran Is an Impeachable Offense What the president has already done justifies a third article of impeachment. By Bruce Ackerman at:

https://prospect.org/impeachment/trump-war-against-iran-impeachable-offense.

A few days afterward, Bruce Ackerman gave an interview about the topic, sending us its link: Dear Friends: Here is a ten-minute video interview, condemning Trump's unilateral war making as blatantly unconstitutional and worthy of impeachment. It, begins at the eighth minute of Richard French Live: https://www.youtube.com/watch?v=QCNNrnOJ0Rc Best, Bruce.

The leading thesis of legitimacy by the time of Professor Bruce Ackerman was Weber's thesis of political legitimacy. Max Weber regarded political legitimacy as originated in tradition, charisma, and bureaucratic rationality, while Ackerman propounds constitutionalism as a new pattern of legitimacy.

In his book *Economy and Society*[4], Maximilian Karl Emil Weber (1864 Erfurt, Germany - 1920 Munich, Germany), prominent philosopher, political economist, and sociologist, developed three types of legitimate political orders across the world, the first of which is charismatic authority. Charismatic authority is a kind of power derived from the charisma of political rulers and leaders.[5] However, traditional domination - that is, traditional authority - massively depends on the customs and traditions of a society. The third type of legitimate political power, i.e., rational-legal authority, is also known as bureaucratic authority, rational authority, legal authority, rational domination, and legal domination. Bureaucratic administration means that the third sort of legitimate authority based on legal origins. Weber explained his tripartite in his book *Economy and Society* as well as in some of his speeches. (Weber, 1978: 215-216; see also Weber, 2015: 137-138)

As could be seen in the passage above, Max Weber, as a sociologist, has attributed the three types of legitimate political power to the characteristics of societies. Interestingly enough, to the scholar of constitutional law, the legitimacy of political orders is attributed to the characteristics of their different constitutions. In his exemplary work of

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4. The above mentioned book of *Economy and Society* is published by Marianne Weber (1870 - 1954), a German sociologist and the activist of women's rights as well as the wife of Max Weber, in 1921 in Germany, shortly after he passed away.

5. Ackerman addresses two kinds of charisma: "Call the first *organizational charisma:* activists at the grassroots level come to identify deeply with their movement party's struggle for political ascendancy. They do not view organizations like Solidarity in Poland, India's Congress Party, or South Africa's ANC as special interest groups engaged in arcane maneuvers in distant halls of power. They view them as the organizational means through which their own grassroots struggles can transform the state into an engine for legitimate social change. Over time, local activists engage in an ongoing effort to persuade their friends and neighbors to join their movement-party organization, and to make small and large sacrifices for the public good (as the ongoing movement-party dialogue defines and redefines it over time). *Leadership charisma* is a distinct phenomenon. It should not be confused with the Madison Avenue charisma displayed by glamorous movie stars and such. Many revolutionary leaders-Nehru and Mandela and De Gasperi, for example-were utterly lacking in glitzy glamor. They owed their symbolic centrality to the story that movement activists tell themselves about the origins and objectives of their revolutionary struggle. Others-like de Gaulle or Wałesa or Khomeini-generated special forms of political electricity, but so did potential rivals" (Ackerman, 2019: 35).

scholarship that draws on years of thoroughgoing research, Professor Bruce Ackerman compares and contrasts the generation and development of leading constitutions of the world. A renowned expert of political science and law, Ackerman is the author of 19 books having a wide effect on constitutional law, political philosophy, and public policy. The newest work of him, called Revolutionary Constitutions: Charismatic Leadership and the Rule of Law, develops Bruce's theory on revolutionary constitutionalism. The author has assigned a chapter, that is, Chapter 12, on the Iranian constitution as well as the Iranian Islamic Revolution in 1979, including more explanations in the introduction and Chapter One. We should not lose sight of the fact that the mainstream literature on the law has ignored Iran as an instance of a dubious constitutional system, if not outright totalitarianism. Defying the orthodox views on the Iranian revolutionary constitution, Ackerman regarded the constitution of the Islamic Republic of Iran as one of the original constitutional systems (Ackerman, 2019: 1-53, 166, 295, 324-360, 395; and for a book review see: Maftouni, 2019: 4-5).

Two main issues in my discussions will follow:

1) Ackerman's theory on three patterns of constitutionalist systems across the world;

2) The position of the Iranian Islamic revolution of 1979 in the constitutionalist theory of Ackerman, evaluating the legitimacy of its political power in the long term.

It should mention that besides his latest work, i.e., Revolutionary Constitutions: Charismatic Leadership and the Rule of Law, Ackerman has valid comments on the topic in his exclusive interview for Tehran Conference on Constitutional Law (2019).[6]

The states of the twentieth century, Ackerman argues, attempt to legitimate the governance in terms of their constitutions, in distinct models, though. He asserts that Weber's trichotomy "famously distinguishing between the very different appeals of tradition, charisma, and bureaucratic rationality, remains relevant, but it fails to recognize the distinctive attractions of constitutionalism" Addressing this weak spot,

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6. The interview is made in Yale Broadcast Studio (2019) which "is a full-service video and audio production department for recording, editing, and distributing high-quality video and audio for teaching, web, YouTube, and TV broadcast" (https://broadcast.yale.edu).

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Ackerman holds that each constitutionalist scenario got their distinctive characters and attractions, as well as pathologies (Ackerman, 2019: 1-3).[7]

Ackerman, before explaining his thesis, has developed a series of problems about constitutional law in the United States (Ackerman, 2014, 2007, 2010, 2005, 1991, 1998, Ackerman and Golove, 1995, Ackerman and Alstott, 1999, Ackerman and Ayres, 2002). Assessing the philosophical foundations of the history of scenarios of constitutionalism, Bruce has expended serious efforts (Ackerman, 1989, 1980, 1982, 1997).

1. The First Scenario: the Pattern of Revolutionary Constitutionalism

It is the first of three significant models of constitutionalism to be discussed. Explicating Weber's trichotomy, i.e., tradition, charisma, and bureaucratic rationality, Ackerman develops a new trichotomy.

As I mentioned above, constitutionalism constitutes the heart of Ackerman's thesis of political legitimacy; it varies in political and cultural aspects, though.

The first pattern of this new trichotomy is entitled revolutionary constitutionalism (Ackerman, 2019: 7). In more detail, the first pattern also called the first scenario, and the first pathway[8], some revolutionary party, has indefatigable works to stimulate the public against the state. The innovative efforts, solidifying the status quo, mostly fail to defeat the existing systems. However, some of these trends, like Poland, Iran, Italy, France, and South Africa[9], are successful in gaining political power and establishing a new order.

Although there are many differences between the revolutions of different nations and countries, they share ordinary circumstances in which revolutionaries carry on struggling against the existing regime for a long time until gaining political power (Ibid, 3-4).

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7. Before his book, Bruce Ackerman presented his theory in *Revolutionary Constitutionalism Conference* (2018) in the New Haven.

8. In his book, Ackerman uses the terms "pathway," "scenario," "model," and "pattern" almost interchangeably. (Ackerman, 2019: 1, 3, 4, 6, 7, 8, 17, 27, 40, 42, 48, 49, 52 …).

9. Pointing to the ANC, i.e. African National Congress, I should mention that in 1979 in Iran there was no such organization. Rather, there were mosques all over the country. Mosques were revived by the second Pahlavi after being destroyed by the first Pahlavi, most likely because of the Cold War like what happened in the West as to Western churches. I could not resist throwing in this remark that a difference between Iranian mosques and Western churches is that Shiite thought is more or less homogeneous across the country, while I have heard, as a tongue-in-cheek remark by a Christian friend, that almost each church on each street is sui generis!

Successful revolutionary trends, Ackerman holds, carry on in four stages, the first of which is attaining political power. The early-stage, that is, the time of insurgency, is named Time One. We are not to think of the first stage as one in which revolutionaries just lean on the brute force strategy. "They also denounce the existing regime as illegitimate." In effect, the canons declared in the hard conditions of Time One as revolutionary principles will play a pivotal role in sustaining the revolutionary movement. Those principles included in the sweeping declaration "set the stage for the construction of the new regime at time two," constitutionalizing the revolutionary charisma. That is to say, revolutionaries try to render their "high-energy politics into a constitution that seeks to prevent a relapse into the abuses of the past and commit there public to the new principles proclaimed during the long hard struggle of Time One" (Ibid, 4).

Reminding us that constitutionalization is not an imperative, Ackerman points to totalitarian dictators like Lenin and Mao. He holds that Lenin and Mao, no less than leaders like Imam Khomeini, Nehru, Mandela, De Gasperi, de Gaulle, and Wałesa, were revolutionaries against the existing regimes. However, Bruce holds, "the constitutions generated by the Communist Party served as mere propaganda devices for Stalinist and Maoist terror, and failed to impose significant constraints on the subsequent authoritarianism of Nikita Khrushchev or Xi Jinping" (Ibid, 7).

Spawned in Paris by Imam Khomeini, the Iranian revolutionary constitution is deemed a positive instance of the first pathway, according to Ackerman (Ibid, 50). For Ackerman, the right of the presidential election in Iran is a legitimate right. Accordingly, Iran regarded as a constitutional government. Replying to those who consider Iranian system to be a totalitarian regime, Bruce compares Iranian constitution with the constitution of the United States and demonstrates similarities between two constitutional institutions: Iranian Supreme Leader and American Supreme Court (Ibid, 324-354): "American Supreme Court justices, like the Supreme Leader, have life tenure-and also claim the right to safeguard the regime's fundamental values when popularly elected institutions endanger them. The value commitments of the two regimes are different; these differences are important. But they should not disguise the feature that the United States and Iran share in common: both are separation-of-powers systems that emerge from revolutionary constitutional traditions" (Ibid, 325).

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Although he regards the Iranian revolution as a constitutionalist system, Ackerman's reasoning might provoke controversy as to President Hassan Rouhani's first presidential election.

"During his first presidential campaign in 2013, Hassan Rouhani ran as a strong advocate for détente with the West, placing special emphasis on a comprehensive nuclear arms agreement. The current Supreme Leader, Ali Khamenei, squarely opposed this initiative. He threw his support behind Saeed Jalili, who had served as Iran's principal arms negotiator and continued to advocate a hard-line stance. As voters went to the polls, they offered a clear choice. They voted for Rouhani in a landslide. Rather than invoke his constitutional powers to veto the nuclear weapons deal, he allowed it to go into effect without any public show of opposition" (Ibid, 325).

The author shows no evidence for this claim, that is, the Supreme Leader's upfront support behind Saeed Jalili - the main presidential rival of Hassan Ruhani. Probably based on the ambiance of the Western environment, in which Bruce Ackerman is working and studying, the Supreme Leader's mentioned support was obvious and evident. However, Ackerman is using the claim to establish the Iranian system as a constitutionalist government sustaining over the long term.[10]

2. The Second Scenario: The Pattern of Reformist Constitutionalism

Although Bruce speaks of three patterns, he expands upon the first pattern in greater detail. He even has included the first pattern in the name of his book: *Revolutionary Constitutionalism: Charismatic Leadership and the Rule of Law*. Anyway, after the first model, we will turn to the second pathway.

In the second scenario, while popular movements are seeking to change an existing regime, a trend from inside the current regime takes on strategic concessions, dividing the outsiders into two groups of moderates and radicals. Such being the case, insiders ask the moderate

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10. Bruce's standpoint of view on the Supreme Leader and separation of powers in Iran is worth noting: "The Supreme Leader is the single most powerful official in Iran's government. But calling him Supreme does not make him all-powerful-even when the country is dealing with existential questions of nuclear annihilation. To the contrary, Iran's Constitution is based on the separation of powers-in which different branches engage in an ongoing competition for effective authority. As in many other countries, the balance of legitimate power shifts over time, sometimes dramatically. But so long as Iran does not collapse into a top-down system of autocratic rule, it falls within my definition of constitutional government. The Iranian government is hardly unique in authorizing unelected officials to play a leading role" (Ackerman, 2019: 325).

group to abandon the radical group, that is, to join the existing regime. "This co-optation strategy culminates in landmark reform legislation that allows the "Sensible" outsiders to enter the establishment-and thereby reinvigorates the establishment's claims to legitimate authority" (Ackerman, 2019: 4).

As an instance of Ackerman's second ideal type, he speaks of Great Britain: "Great Britain provides a paradigmatic example. During the Napoleonic Wars, its governing elite repudiated revolution as a model for legitimate transformation. But over the next generation, the establishment refused to support hard-liners, like the Duke of Wellington, who was determined to suppress all efforts at fundamental change. Instead, "Moderate" insiders reached out to "Sensible" outsiders to support the Reform Act of 1832. It set the stage for further acts of strategic co-optation at later moments of famous confrontation. During the twentieth century, perhaps the most salient example was the Parliament Act of 1911, which legitimated the politics of redistribution characteristic of the modern welfare state" (Ackerman, 2019: 4-5).

Comparing and contrasting the two first patterns, i.e., revolutionary outsiders and reformist insiders, Ackerman believes that both of them emerge "emerge out of high-pitched struggles" while their outcomes vary. In the revolutionary-outsiders scenario, the existing regime changed. But in the reformist-insiders scenario, the current regime can weaken outsider momentum by making strategic concessions to the moderate revolutionary outsiders (Ackerman, 2019: 5-6).

3. The Third Scenario: The Pattern of Elite Construction Constitutionalism

After the reformist constitutionalism, we now turn to the third scenario of constitutionalist theory. In the third pattern, called elite construction, the story begins from the point at which an existing regime starts decaying from within. However, the populace does not embark on revolutionary movements. Ackerman clarifies as follows: "The emerging power vacuum is occupied by previously excluded political and social elites, who serve as a principal force in the creation of a new constitutional order. Sometimes the new constitution allows the old elites to retain a significant share of power; sometimes, it doesn't. But whatever the particularities, the key point is that the new regime is an elite construction, not a revolutionary creation" (Ackerman, 2019: 6).

For the third scenario, we could not easily find so many instances. However, as an example of the third pattern, Bruce puts forward the case

of Spain when Francisco Franco passed away, by which the Falangism and Falangist regime derived toward a severe succession crisis:[11] "Haunted by memories of the Spanish Civil War, moderates led by King Juan Carlos preempted another revolutionary upheaval by reaching an accommodation with Franco's bitterest enemies. Resisting hard-line pressures, the young king appointed Adolfo Suárez prime minister, who reached out to bitter opponents-most notably Santiago Carrillo, leader of the illegal Communist Party. With the support of the army chief of staff and the leader of the Spanish Church, Suárez prevailed upon the Falangist legislature to pass a Law for Political Reform, setting the stage for free elections that included the Communists. When the electorate gave left and right extremists low levels of support, elite moderates were in a position to elaborate a democratic constitution, which was overwhelmingly approved by the voters at a referendum" (Ibid, 6-7).

Although the referendum was a crucial part of this scenario, it was not following mass mobilization, unlike the revolutionary constitutionalism-for example, what happened in the Islamic Revolution of 1979 in Iran. For in Spanish case, the decision of King Juan Carlos[12] was the most crucial part of constitutionalism. In 1981, it was King Carlos who could prevent the coup d'état against the existing regime, thereby emerging the elite constitution of a new legitimate government (See: Ibid, 7).[13]

Contrasting the third and the first pathways, Ackerman holds that in the Elite Construction Constitutionalism, there is no revolutionary

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11. Francisco Franco Bahamonde, the Spanish general who governed Spain in the manner of dictatorship from 1939 to 1975 assumed the title Caudillo for himself. Caudillo in Spanish-speaking countries means a military or political leader who has complete power over the country, especially one whose power has been gained by force and who rules strictly (*Caudillo*: *Longman Advanced American Dictionary*).

12. Juan Carlos I, the grandson of Alfonso XIII, is a member of the Spanish royal family who governed as the King of Spain from November 1975 until relinquishing monarchical authority in June 2014. Alfonso XIII was the last king of Spain before the abolition of the monarchy in 1931 and the succeeding declaration of the Second Spanish Republic.

13. Comparing and contrasting Spain with Japan and Germany, Ackerman says: "The Spanish case has served as a central reference point for scholarly discussion of the great democratic wave that reached its climax with the fall of the Soviet Union after 1989. But these recent events should not overshadow an earlier turning point at which elitist dynamics played a key role. Most notably, the postwar constitutions of Germany and Japan were constructed by elites at a time when the masses were overwhelmed by the devastation of defeat. But in contrast to Spain, the German and Japanese elites were under the humiliating supervision of foreign occupiers. Despite this fact, these constitutional constructions have proved remarkably robust for more than two generations" (Ackerman, 2019: 7).

movement. Still, it is a camp of the elite who reconstruct the constitution, instituting a new constitutional order.

On the other hand, the difference between the third pathway and the second pathway of constitutionalism is that in the third pattern, the existing regime confronting a severe crisis might maintain a small part of political power. However, in the second pattern, the current regime making strategic concessions continues the central part of political power. Moreover, the constitutions of the third pattern differ widely from the compositions of the second model based on some brief strategic concessions (Ibid, 6).

Conclusion

Over the 20th century, political powers, in most part, legitimated by constitutions, the Iranian law, evaluated its legitimacy, would assess over the long term. Bruce Ackerman is interested in the issue. Two facets of Ackerman's theory would go as follows:

Displacing Weber's trichotomy, he puts forth a groundbreaking version of legitimacy in our century. As he once put it, "It's passed the time to move me on Weber's favorite list".

Pathways to constitutionalism can categorize into three ideal-types:

1) Revolutionary constitutionalism;

2) Establishmentarian model, in which the insider-establishment gives strategic concessions to moderate outsiders;

3) Elite construction.

Or put another way:

a) Outsider revolutions, like the United States, South Africa, India, France, Italy, and Poland (out of revolution track);

b) Insider evolutions, like Great Britain, Canada, New Zealand, and Australia (out of establishment track);

c) Outsider elite, like Germany and Spain (out of elite construction track).

The main problem of path one is a dictatorship in relevant cases. In contrast, the issue of road two is disestablishment, and the question of way three is that the elite constructions can't point to the broad popular legitimacy earned by revolutionary constitutionalism, lacking a long history of success.

The second aspect concerns Iran and its 1979 Islamic revolution. Iran, and Ayatollah Khomeini's leadership of its constitutional revolution, occupy a prominent position in this landmark contribution. A case of

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revolutionary constitutionalism, the Iranian experience compares with France, Italy, India, and South Africa, and contrasts with Mao's China and Stalin's Soviet Union.

Although Ackerman considers the Iranian revolution a constitutionalist system, his argument might provoke controversy as to President Rouhani's first election since Bruce shows no reference for some of his statements.

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